

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MASSACHUSETTS

IN RE: Amy Nixon

Chapter 13 # 09-19877-FJB

**MOTION OF CHAPTER 13 TRUSTEE TO DISMISS**

Now comes Carolyn Bankowski, Chapter 13 Trustee, and files this Motion to Dismiss the above-referenced case and as grounds therefor, states as follows:

- ( ) 1. Debtor has failed to make the first plan payment as required by 11 U.S.C. §1326(a)(1).
- (☒) 2. Debtor has failed to provide the following documents:
- |   |  |
|---|--|
| ( ) INSURANCE BINDER  | ( ) EVIDENCE OF PROPERTY VALUE                                 |
| ( <input checked="" type="checkbox"/> ) EVIDENCE OF CURRENT INCOME              | ( ) RECORDED HOMESTEAD / DEED                                  |
| ( ) MOST RECENT TAX RETURN  | ( <input checked="" type="checkbox"/> ) 60 DAYS OF PAY ADVICES |
| ( <input checked="" type="checkbox"/> ) AMENDED SCHEDULES <u>C - none filed</u> |  |
| ( ) OTHER _____   |  |
| ( ) _____   |  |
- ( ) 3. Debtor has failed to provide business documents pursuant to MLBR Appendix 1: 13-2(a)(2) as follows:
- \_\_\_\_\_
- ( ) 4. OTHER: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Notice is hereby given that any responses and/or objections to this motion are to be filed within **twenty (20) days of the date this motion is filed with the Court**. If no timely objections/responses are filed, the Court may act upon this motion without further notice or hearing as provided by 11 U.S.C. §102(1)(B).

**WHEREFORE**, the Trustee respectfully requests this Court to enter an Order dismissing this case.

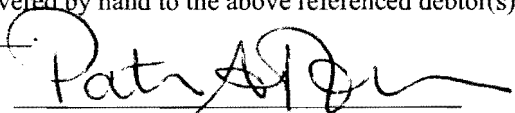
Respectfully submitted,



Carolyn A. Bankowski, BBO#631056  
Patricia A. Remer, BBO#639594  
P.O. Box 8250  
Boston, MA 02114-0033  
(617) 723-1313

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that I have served a copy of the foregoing delivered by hand to the above referenced debtor(s) and to Debtor's counsel Richard Bergesen  
Dated 11 / 23 / 09



Carolyn A. Bankowski  
Patricia A. Remer